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9 *Attorneys for Plaintiffs*

10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 STEVEN M. COLOSIMO and  
13 NATHANIEL A. PORTEOUS,  
14 individuals, on behalf of themselves and all  
15 other similarly situated employees,

16 Plaintiffs,

17 vs.

18 PRINCE TELECOM, LLC, a Delaware  
19 limited liability company; and DOES 1  
20 through 10, inclusive,

21 Defendants.

CASE NO.: 2:19-cv00647

**STIPULATION AND PROPOSED  
ORDER TO AMEND AND  
REMAND**

22 Plaintiffs, STEVEN M. COLOSIMO and NATHANIEL A. PORTEOUS,  
23 individuals, on behalf of themselves and all other similarly situated employees, by and  
24 through their counsel, MADDOX | ISAACSON | CISNEROS LLP, and PRINCE  
25 TELECOM, LLC, by and through their counsel, LITTLER MENDELSON, P.C.,  
26 stipulate as follows:

- 27 1. On February 28, 2019, Plaintiffs commenced this action in the Eighth  
28 Judicial District Court, Clark County, Nevada.
2. An Affidavit of Service was filed on April 1, 2019.

1           3.     On April 15, 2019, Defendant filed Notice of Removal of Action to  
2 Federal Court, pursuant to 28 U.S.C. § 1446, removing the action to the United  
3 States District Court for the District of Nevada.

4           4.     On April 15, 2019, Defendant completed the removal process by filing  
5 a conformed copy of the Notice of Removal with the Eighth Judicial District Court,  
6 Clark County, Nevada.

7           5.     After discussion, the parties have agreed that the Plaintiffs should be  
8 allowed to amend their Complaint, as attached hereto as **Exhibit 1**.

9           6.     Further, the parties agree that in light of the Amended Complaint,  
10 Defendant's pending Motion to Dismiss (ECF No. 8) shall be withdrawn without  
11 prejudice and Defendant shall file a notice of non-opposition to Plaintiff's pending  
12 Motion to Amend and Remand (ECF No. 11) to the Eighth Judicial District Court,  
13 Clark County, Nevada.

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7. The Parties further stipulate that each party shall bear its own attorneys' fees and costs with respect to the removal and subsequent remand of the Action pursuant to this Stipulation and proposed Order, submitted concurrently.

IT IS SO STIPULATED.

Dated: May 24, 2019

Dated: May 24, 2019

**MADDOX | ISAACSON | CISNEROS LLP**

**LITTLER MENDELSON, P.C.**

By: 

By: /s/ Montgomery Y. Paek

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*Attorneys for Defendant*

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

MADDOX | ISAACSON | CISNEROS LLP  
An Association of Professional Corporations  
11920 Southern Highlands Parkway, Suite 100  
Las Vegas, Nevada 89141

MADDOX | ISAACSON | CISNEROS LLP  
An Association of Professional Corporations  
11920 Southern Highlands Parkway, Suite 100  
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**CERTIFICATE OF SERVICE**

I am a resident of the State of Nevada, over the age of eighteen years, and not a party to the within action. My business address is 11920 Southern Highlands Parkway, Suite 100, Las Vegas, Nevada 89141.

Pursuant to FRCP 5(b)(3) and LR 5-1, I hereby certify that on this 24<sup>th</sup> day of May, 2019, I served a true and correct copy of the above document, entitled **OPPOSITION TO DEFENDANT'S MOTION TO DISMISS PLAINTIFFS' COLLECTIVE AND CLOASS ACTION COMPLAINT, AND MOTION TO AMEND**, via the Court's electronic filing/service system (CM/ECF) to all parties on the current service list.

Rick D. Roskelley, Esq.  
Littler Mendelson, P.C.  
3960 Howard Hughes Parkway,  
Suite 300  
Las Vegas, NV 89169  
Email Address: rroskelley@littler.com  
Attorney For: Prince Telecom, LLC

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on May 24, 2019, at Las Vegas, Nevada.



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An employee of MADDOX | ISAACSON | CISNEROS LLP

## EXHIBIT INDEX

Exhibit 1 - 1<sup>st</sup> Amended Collective and Class  
Action Complaint.